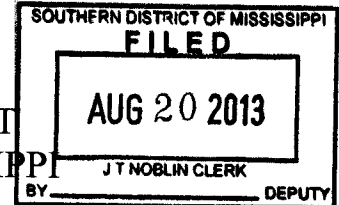


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



DOUGLAS HANDSHOE

v.

AARON F. BROUSSARD, DANIEL ABEL
CHARLES LEARY, VAUGHN PERRET
CHRIS YOUNT, TROUT POINT LODGE
LIMITED, NOVA SCOTIA ENTERPRISES,
LLC

Civil Action No. 1:13cv251-LG-JMR

PLAINTIFF'S BRIEF IN RESPONSE TO ORDER OF THIS HONORABLE COURT
CONCERNING AMOUNT IN CONTROVERSY

Comes now Plaintiff Douglas Handshoe, pursuant to order of this honorable court dated August 6, 2013, and provides the following brief concerning the amount of damages he is seeking from the defendants in this lawsuit.

1.

Plaintiff commenced this action in the Circuit Court of the Hancock County, Second Mississippi Judicial District on May 21, 2013 seeking unspecified damages related to the torts of Malicious Prosecution, Abuse of Process and Civil Conspiracy.

2.

On June 11, 2013 defendants Charles Leary, Vaughn Perret and Trout Point Lodge, Ltd. removed the instant lawsuit from the Circuit Court of Hancock County, Second Mississippi Judicial District. Defendants offered no evidence the amount in controversy exceeded \$74,999.99.

3.

Damages known to Plaintiff at the time of removal include:

- Legal fees incurred in the Strategic Lawsuit against Public Participation styled Abel v Handshoe et al due to Baldwin Haspel which approximate \$20,000.¹
- Research fees expended in order to determine invasion of privacy and deprivation of due process rights in the Canadian proceeding styled Trout Point Lodge et al v Louisiana Media Company, LLC: \$1,800.
- Court costs and other expenses in connection with the previous suits instituted by defendants against Plaintiff: \$1,200.
- Plaintiff's rough estimate of diminution of value of his investment in Slabbed New Media, LLC due to the tortious conduct of the defendants: \$2,000

Total damages at time of removal from the Hancock County Circuit Court: \$25,000.

4.


Defendant Abel, in his memorandum in support of a Motion to dismiss (ECF No. 23) seeks to re-write a previous order of this honorable court in the case styled Trout Point Lodge et al v Doug K. Handshoe, a case that he is supposedly a non-party. To the extent attorney fee reimbursement appears to be an outstanding issue to be decided in that case, Plaintiff in this instant action therefore has not included any amounts related to Attorney Truitt's legal fees in any calculation of damages sought, as such damages have not been incurred as of the date the Complaint for Damages was filed or when the case was removed from the Hancock County Circuit Court by defendants Leary and Perret.

¹ Abel dismissed his SLAPP suit from Federal Court on May 14, 2013 under FRCP Rule 41. He then re-filed his SLAPP suit in the Orleans Parish Civil District Court fraudulently joining all of Plaintiff's lawyers as defamation co-defendants of Plaintiff in order to deprive Plaintiff in this action any chance of recovery legal fees specified in LA Rules of Civil Procedure Article 971, the Civil Procedure rules related to the Louisiana Anti SLAPP statute.

5.

Out of abundance of caution and in accordance with *Gebbia v. Wal-Mart Stores, Inc.*, 233 F.3d 880, 883 (5th Cir. 2000), attached hereto is affidavit of Douglas Handshoe that specifically renounces any damages awarded in excess of \$74,999.99 exclusive of costs and interest, that result from the torts pleaded in his original Complaint for Damages dated May 21, 2013, that are subsequently adjudicated in the Circuit Court of Hancock County, Second Mississippi Judicial District.

Respectfully submitted



Plaintiff, Propria Persona
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CERTIFICATE OF SERVICE

I, Douglas Handshoe, certify I have sent a true and correct copy of the foregoing motion and affidavit to the following via United States Mail:

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